

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

STATE OF LOUISIANA,
By and through its Attorney General, LIZ
MURRILL;

AMERICAN PETROLEUM INSTITUTE;

and,

CHEVRON U.S.A. Inc.,

Plaintiffs,

v.

NATIONAL MARINE FISHERIES
SERVICE; and

HOWARD LUTNICK, in his official capacity
as the Secretary of Commerce,

Defendants.

Hon. James D. Cain, Jr.

CIVIL ACTION NO. 2:25-cv-691

Joint Stipulated Briefing Schedule

JOINT STIPULATED BRIEFING SCHEDULE

In this Administrative Procedure Act suit, Plaintiffs the State of Louisiana, the American Petroleum Institute (API), and Chevron U.S.A. Inc. challenge the Biological Opinion issued by Defendant National Marine Fisheries Service (NMFS) on May 20, 2025. NMFS' Biological Opinion addresses activities regulated by the U.S. Bureau of Ocean Energy Management and the U.S. Bureau of Safety and Environmental Enforcement (collectively, the "Bureaus") under the Outer Continental Shelf Oil and Gas Program in the Gulf of America (the "Oil and Gas Program") and evaluates the effects of those activities on threatened and endangered species pursuant to Section 7 of the Endangered Species Act.

Following the filing of the Complaint on May 20, 2025, the Parties immediately began discussions to set a schedule to allow prompt resolution of this case. The Parties agree that this matter is an action for review on the basis of NMFS' administrative record for which the requirements of Federal Rule of Civil Procedure 26 do not apply, as this case will be resolved through cross-motions for summary judgment.

Accordingly, the Parties stipulate to the following schedule to facilitate an expedited decision on the merits.

July 14, 2025	Federal Defendants file responsive pleading and lodge the Administrative Record.
August 4, 2025	Deadline for amendment of pleadings and any motions regarding the sufficiency of the Administrative Record. ¹
August 11, 2025	Plaintiffs' file motion for summary judgment.
September 15, 2025	Federal Defendants file combined opposition to Plaintiffs' motion for summary judgment and cross-motion for summary judgment.
October 6, 2025	Plaintiffs file combined opposition to Federal Defendants' cross-motion for summary judgment and reply in support of motion for summary judgment.
October 27, 2025	Federal Defendants file reply in support of cross-motion for summary judgment.

The Parties also request an enlargement of the page limitations to accommodate the significant questions presented in this case. Given the importance, background, and complexity of the issues in the case, the Parties request 45 pages for Plaintiffs' motion for summary

¹ In the event that any Plaintiff brings a challenge to the content or scope of the Administrative Record, the Parties agree that the above schedule will be vacated. In such an event, the Parties will meet and confer and propose a revised schedule for merits briefing within 14 days following the Court's resolution of any record dispute.

judgment, 45 pages for Federal Defendants' combined opposition and cross-motion for summary judgment, 25 pages for Plaintiffs' combined opposition and reply, and 25 pages for Federal Defendants' reply.

The Parties respectfully request that the Court enter the attached Proposed Order on the Parties' briefing schedule for cross-motions for summary judgment.

DATED this 14th day of July, 2025.

Respectfully submitted,

/s/ James A. Holmes

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing *Joint Stipulated Briefing Schedule* on all known counsel of record by filing this motion via CM/ECF this 14th day of July, 2025.

/s/ James A. Holmes